

Message Text

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ACTION EB-07

INFO OCT-01 EA-06 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00

DOT-00 INR-07 NSAE-00 FAA-00 L-02 SS-15 NSC-05 H-01

/046 W

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P 250328Z FEB 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC PRIORITY 8219

LIMITED OFFICIAL USE TOKYO 2385

E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR: PAN AM FLIGHTS AT OSAKA

REF: STATE 33423

SUMMARY: E/C COUNS HAS AGAIN RAISED QUDATION OF PAN AM FLIGHTS AT OSAKA WITH FONOFF (FUJII, DIRECTOR, FIRST NORTH AMERICA DIVISION). SINCE FUJII OFFERED NO ENCOURAGEMENT THAT REVERSAL OF NEGATIVE DECISION ON PAN AM'S REQUEST WOULD BE FORTHCOMING, EMBASSY AGREES WITH DEPARTMENT THAT WE SHOULD RESTATE USG POSITION ON THIS SUBJECT IN A

DIPLOMATIC NOTE. WE INTEND, HOWEVER, TO DELETE REFERENCES TO QTE EXCEPTIONS UNQTE MADE FOR AIR INDIA AND CAAC SO THAT MAIN SUBSTANTIVE POINT WILL BE TO EXPRESS CONCERN THAT GOJ ACTION IN DISAPPROVING PAN AM SCHEDULE APPEARS TO BE INCONSISTENT WITH BILATERAL AVIATION AGREEMENT. END SUMMARY.

1. EMBASSY BELIEVES THAT MAIN PURPOSE OF NOTE SHOULD BE TO PUT ON RECORD APPARENT CONFLICT BETWEEN GOJ OBLIGATIONS UNDER VARIOUS BILATERAL AGREEMENTS AND ITS DISAPPROVAL OF PROPOSED CAPACITY INCREASE. GOJ HAS NOT DIRECTLY FACED THAT ISSUE AND IT SHOULD, WE BELIEVE, BE LIMITED OFFICIAL USE

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PRESSED EITHER TO PROVIDE SATISFACTION TO PAN AM OR

JUSTIFY CONTINUED DISAPPROVAL OF PAN AM'S REQUEST.

2. AT SAME TIME, WE SHOULD RECOGNIZE THAT FOR JCAB SYSTEM OF LIMITING OPERATIONS AT OSAKA AIRPORT IS AT STAKE. JCAB HAS ESTABLISHED QUOTA SYSTEM WITH NO PROVISION FOR SHIFTING FREQUENCIES AMONG CARRIERS (TOKYO 14510, NOVEMBER 7, 1974). IN GENERAL (CATHAY PACIFIC IS NOTABLE EXCEPTION), FOREIGN CARRIERS OTHER THAN PAN AM HAVE ACQUIESCED, ALBEIT GRUDGINGLY IN SOME CASES, IN CEILINGS IMPOSED ON THEM. CLEARLY, IF JCAB MAKES EXCEPTIONS FOR PAN AM, IT WILL RUN RISK OF CAUSING BREAK-DOWN OF ENTIRE QUOTA SYSTEM. THUS, WHILE TWO FLIGHTS REQUESTED BY PAN AM ARE INDEED MINIMAL IN TERMS OF SIMPLE ARITHMETIC, THEIR APPROVAL BY JCAB WOULD REPRESENT SUBSTANTIALLY MORE THAN A QTE MINOR ADJUSTMENT UNQTE. IT WOULD IN FACT REPRESENT A DEROGATION FROM BASIC POLICY WHICH JCAB WILL NOT LIGHTLY UNDERTAKE.

3. AS REGARDS QTE EXCEPTIONS UNQTE CITED IN DRAFT NOTE, JET CEILINGS FOR INTERNATIONAL CARRIERS WERE FROZEN IN MARCH 1974 AT LEVEL OF FLIGHTS OPERATED IN DECEMBER 1972 (TOKYO 14510). CONSEQUENTLY, TWO ADDITIONAL FLIGHTS GRANTED TO AIR INDIA IN NOVEMBER 1972 PREDATE INSTITUTION OF CURRENT RESTRICTIONS.

4. STRICTLY SPEAKING, CAAC FLIGHTS AUTHORIZED IN SEPTEMBER 1974 ARE ADDITIONAL TO THOSE IN EXISTENCE AT TIME OF IMPOSITION OF CEILINGS AND OF BASE PERIOD. THESE FLIGHTS, HOWEVER, ARE QUITE DISTINCT FROM INCREASES IN EXISTING SERVICES. INAUGURATION OF JAPAN-PRC AIR SERVICES WAS INTEGRAL PART OF NORMALIZATION OF RELATIONS BETWEEN JAPAN AND PRC. AS IT HAPPENED, OFCOURSE, THIS RESULTED IN SUSPENSION OF AIR SERVICES

BETWEEN JAPAN AND TAIWAN, AND CAAC FLIGHTS AT OSAKA IN EFFECT REPLACED SOME OF FLIGHTS FORMERLY OPERATED BY CHINA AIRLINE (CAL).

5. WHILE WE HAVE NOT YET RECEIVED UNAMBIGUOUS ANSWER FROM JCAB AS TO WHAT HAPPENED TO BALANCE OF SLOTS LIMITED OFFICIAL USE

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FORMERLY USED BY CAL AND JAL ON OSAKA-TAIWAN SERVICES, JCAB APPARENTLY HAS DECIDED NOT TO REALLOCATE THESE BECAUSE IT EXPECTS THAT JAPAN-TAIWAN SERVICE WILL BE RESUMED AT SOME FUTURE TIME AND, IN ANY CASE, IT WOULD BE HARD PUT TO DECIDE ON WHAT BASIS TO REALLOCATE THE SLOTS.

6. THUS, UNLESS OTHERWISE INSTRUCTED BY FEBRUARY 26, WE WILL SUBMIT NOTE ALONG LINES REFTEL BUT WITHOUT REFERENCE

TO QTE EXCEPTIONS UNQTE FOR AIR INDIA AND CAAC.
HODGSON

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Disposition Authority: ShawDG
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Disposition Date: 28 MAY 2004
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Margaret P. Grafeld
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